

*The Commonwealth values the strength and perseverance refugees demonstrate, as well as the amazing diversity they bring...*

## Refugees

Since 1975, over 2.6 million refugees have been settled in the US, primarily from Southeast Asia and the former Soviet Union.<sup>30</sup> The United Nations defines a refugee as a person who has a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group, or political opinion, and for that reason is outside the country of her nationality. Massachusetts has welcomed its role as a receiving state for refugees from all over the world and is now home to more than 70,000 refugees and others with similar humanitarian admission status, from many diverse backgrounds including Vietnamese, Kurds, Bosnians, Ethiopians and Liberians.<sup>31</sup> The Commonwealth values the strength and perseverance refugees demonstrate, as well as the amazing diversity they bring to our cultural, educational, and economic institutions.

Refugees and asylees are eligible for federal assistance which is provided through voluntary agencies (community groups such as Catholic Charities, Lutheran Social Services, and the International Institute, among others) with funding administered through the Massachusetts Office for Refugees and Immigrants. Resettlement is heavily concentrated around the cities of Boston, Lowell, Lynn, Worcester, and Springfield.



In 2007, 1328 refugees arrived in Massachusetts.<sup>32</sup> Federal funds to the state for these and prior arrivals is approximately \$12 million, primarily used for casework, as well as cash and health assistance during the initial eight months of settlement.<sup>33</sup> In federal fiscal year 2009, Massachusetts expects to receive more than 2,200 refugees and continuing the important and valuable work of their resettlement.

### Recommendations

- Advocate for increased amount of federal refugee assistance, to extend assistance services to one year, extend refugee case management to 18 months (with well defined responsibilities including education, housing, transportation, banking, health care, and communications), and expand employment services (with a focus on securing housing near available employment, and capitalizing on refugees' existing fields of expertise).
- Assist resettled refugee groups to organize for peer support, cultural orientation and sharing of cultural traditions with the welcoming community.
- Engage Massachusetts Cultural Council in supporting ethnic festivals to increase understanding and awareness of newcomer communities.
- Create a state supplement to the federal refugee assistance program.



## Youth

Immigrant youth face many unique barriers. Often they are called upon to be the cultural and linguistic ambassadors for families as their parents struggle to learn a new language and culture. They also face the challenge of reconciling vastly different cultural expectations presented by their parents and their peers. Too frequently youth are asked to serve as informal interpreters for parents in personal and sensitive situations. In addition, many young people face language barriers themselves, which when combined with the difficulty of adjusting to a new educational system, can lead to higher rates of disciplinary actions, and lower graduation rates. Once disengaged from school immigrant youth are at risk for other dangerous behaviors which impact their individual health and the health of their neighborhoods.

These risks aside, the strength of many immigrant communities lies in the success of their youth. In areas where immigrant youth are supported; where appropriate school services, and community outreach programs are in place, young people provide vitality and industry. It is important to both the well being of immigrant communities, and the Commonwealth as a whole, to ensure that immigrant youth are able to actively participate in appropriate educational, vocational, social and cultural activities. Massachusetts' ability to produce well educated well rounded citizens of all backgrounds will determine the future social and economic success of the Commonwealth.

### Recommendations

- Promote arts programs that foster the sharing of immigrant and refugee youth's stories through artistic expression.
- Support programs designed to ease transition of Limited English Proficient (LEP) students, such as: creating a buddy system for LEP students by assigning a peer mentor, pairing LEP students with LEP counterparts in other area schools as pen pals so both students could practice English writing and communication.
- Support programs which provide job training and work experience opportunities for immigrant youth.
- Encourage local police departments to begin Community Liaison Officer (CLO) programs to improve the relationship between local police and immigrant youth, such as entry-level police positions for bilingual students attending school with an interest in public safety. The students provide support services that include helping residents who come into the department needing assistance and answering non-English calls received. CLOs also ride with uniformed officers and respond to incidents when translation assistance is needed. Because CLOs can later apply to become police officers, the program can both build bridges between police and the immigrant community and also increase the pool of experienced bilingual, bicultural potential public sector employees.

*In areas where immigrant youth are supported... and community outreach programs are in place, young people provide vitality and industry.*

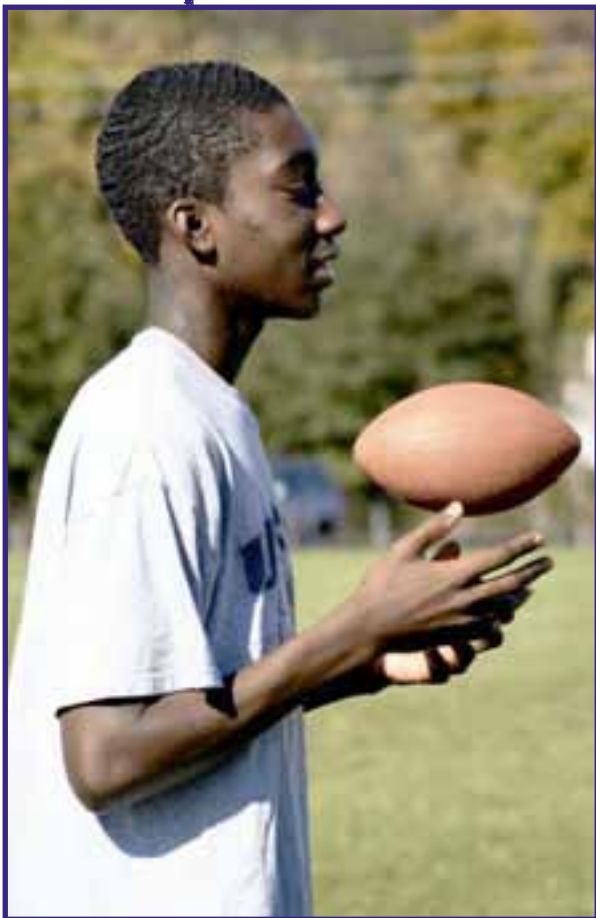


## Youth

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*Massachusetts' ability to produce well educated well rounded citizens of all backgrounds will determine the future social and economic success of the Commonwealth.*

- Increase funding for after school programs for immigrant and refugee youth, including sports leagues and other activities, with an emphasis on community-based providers to ensure culturally and linguistically appropriate programming.
- Restore funding for the Shannon Grant and Department of Public Health youth violence prevention programs, with additional requirement that grantees demonstrate linguistic accessibility for all major immigrant populations within the municipality served.



MASSACHUSETTS  
New Americans Agenda

## Housing and Community Development

Safe and secure housing is a necessity for all families. In Massachusetts both immigrants and non-immigrants often face challenges securing housing due to the high cost of living. This lack of affordable housing has a serious impact on the Commonwealth's ability to retain both immigrant and native born workers. It is crucial to the continued growth and vitality of the Commonwealth to provide an environment in which workers and families can afford appropriate housing.

In addition to cost barriers, immigrants also face unique challenges accessing housing. During the recent housing bubble immigrants were particular targets of predatory lending. The unworkable mortgages sold to immigrant families have led to very high numbers of foreclosures in the immigrant community and in primarily immigrant neighborhoods. These foreclosures have brought blight, insecurity, and economic decline further endangering immigrant housing.

In contrast, those neighborhoods which have been able to avoid foreclosure have benefitted greatly from immigrant homeownership, which has revitalized many cities and towns. Immigrants have bought property in areas which have seen a decline in owner occupied properties and by both buying in and living in a neighborhood have brought stability and investment to cities in need of support.

During the community meetings several individuals also mentioned challenges around the size and layout of available housing. These community members had challenges fitting large families, either multi-generational or nuclear, into housing which frequently had no more than two or three bedrooms. Another cause for concern was the location of affordable housing, often far from public transportation or employment. The recommendations in this section are designed to address these concerns by providing greater access to housing, greater supports for landlords and housing professionals, as well as greater awareness and protection of housing rights.

### Recommendations

- Provide multilingual public outreach and education on housing and consumer issues including: renting, home buying, financial services, predatory lending practices, along with others. Provide more multilingual information on housing issues through the Department of Housing and Community Development's (DHCD) website. Support the work of organizations currently providing financial literacy education.

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- Expand accessibility to affordable housing by: increasing the number of rental vouchers; leveraging private subsidies; and encouraging production of more affordable housing in suburban areas while addressing the potential impact of local resident selection preferences. Also provide financial incentives to builders locating affordable housing near transportation and job centers.
- Create a state produced consolidated multilingual booklet of basic information about housing including housing rights, housing services, availability, applications, etc. Provide these materials on DHCD's website.
- Create an educational campaign for immigrants interested in becoming landlords, and which provides support materials, training, and information about the permitting process. Encourage landlords and local community organizations to utilize available funds to rehabilitate buildings.
- Foster neighborhood clean-ups and rehabilitation of houses through incentives such as tax credits, small grants and organization of volunteer groups.
- Promote community development in immigrant neighborhoods by investing in resources and supports, as well as improving physical infrastructure including the quality of housing and community spaces.
- Further expand accessibility to affordable housing by increasing funding for subsidized housing to build more housing for a diverse range of income and family types.
- Increase the number of local and state inspectors available to review housing code violations.





# How Others Can Participate

- Support programs that partner newly arrived immigrants with established community members to help them navigate their new home.
- Places of worship and their members can provide support, welcoming, and information for newcomers to their neighborhoods.
- Provide information to immigrant communities and community-based organizations about the availability of public access television. Use public access television to provide informational programs in native languages.
- Foster immigrant participation in in-service programs through the Massachusetts Service Alliance, to increase job training for immigrant youth while making use of their valuable multilingual bicultural skills.
- Promote neighborhood cleanups, rehabilitation of houses, and environmental cleanup.
- Encourage people to personally get to know someone who is foreign born.
- Participate in the “Welcoming Massachusetts” campaign, visit the website at [www.welcomingma.org](http://www.welcomingma.org).
- Encourage shared dialogs between immigrant groups and existing neighborhood social, ethnic, or religious clubs, and organizations.
- Recruit immigrants as volunteers for your agency or organization.
- Visit the Office of Grassroots Governance’s website to see ways you can become involved in other civic engagement projects.
- Apply to join one of over 700 state Boards and Commissions at <http://appointments.state.ma.us/>
- If you are an employer, explore ways to provide ESOL to your employees, consider utilizing the workforce training fund express.



# Acknowledgements



*We would like to thank all of the following organizations, individuals and funders for the indispensable work on the New Americans Agenda Project.*

## **Funders**

Carnegie Corporation  
Hildreth Stewart Charitable Foundation  
The Clowes Fund  
Partners HealthCare

## **Partners**

Massachusetts Office for Refugees and Immigrants  
Massachusetts Immigrant and Refugee Advocacy Coalition

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Chelsea Collaborative  
Cleghorn Neighborhood Center  
Community Economic Development Center  
Immigrants Assistance Center  
Irish Immigration Center  
Mutual Assistance Association Coalition  
ONE Lowell  
Roca  
Interaction Institute for Social Change

### **Policy Meetings**

All participants in the policy meetings  
The Boston Foundation  
Jacqui Lindsay, Innovation by Design

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### **Additional Thanks**

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### **Graphic Design**

Design: Patricia Yukna  
Logo Design: Pat Dal Ponte  
Photo Credits: MIRA, Dreamstime.com, Freefotosbank.com, Stock.xchng.com

## Glossary

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**ABE** – Adult Basic Education, instruction in basic skills such as reading, writing, and mathematics to adult learners in order to prepare them for transitioning into the labor market or higher academic or vocational training.

**CPCS** – Committee for Public Counsel Services, the state office which provides legal representation to indigent persons in criminal and civil court cases and administrative proceedings in which there is a right to counsel.

**ESOL** – English for Speakers of other languages, English language classes for non-English speakers.

**Executive Order** – Any written or printed order, directive, rule, regulation, proclamation or other instrument promulgated by the governor of a state (a) in the exercise of his constitutional authority as "chief executive" or "supreme executive magistrate," (b) in fulfillment of his constitutional duty to enforce state laws, (c) in performing constitutionally assigned duties relative to executive branch reorganization, (d) in the exercise of his constitutional responsibilities as commander-in-chief of the armed forces and civil defense forces of the state, as regulated by state law, and (e) in his role as "agent" of the state legislature in exercising powers delegated to him by statute to implement and administer particular state laws and programs.

**GAC** – Governor's Advisory Council for Refugees and Immigrants, group of volunteer appointed advisors charged with counseling the Governor on policy and programs for immigrants and refugees in the Commonwealth.

**GED** – General Educational Development tests, tests which are designed to measure the skills and knowledge equivalent to a high school course of study.

**Governor's Office of Civic Engagement** – Executive department which promotes civic engagement by taking the lead on community-based participation, citizen voice and public service.

**ICE** – Immigration and Customs Enforcement, the federal agency responsible for enforcing immigration law.

**IDA** – Individual Development Accounts, a Massachusetts state program which provides matched savings accounts for low-income families.

**Immigrant** – for purposes of this report the term immigrant encompasses all foreign born individuals residing in the state.

**LEP** – Limited English Proficient.

**MOA/287g** – Memorandum of Agreement, a specific agreement between a local police department and Immigration and Customs Enforcement, which allows the local department to participate in federal immigration enforcement.

**SCHIP** – State Children's Health Insurance Program, a federal program to help states insure low-income children who are ineligible for Medicaid but cannot afford private insurance through an enhanced federal match.





*A series of public meetings across the state— regional meetings attended by more than 1,200 individuals were held in Chelsea, Hyannis, New Bedford, Lowell, Springfield, and Fitchburg.*



Massachusetts New Americans Agenda

## TOP 12 ISSUES

### Raised at the Public Meetings

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1. Access to driver's licenses (raised at all of the public meetings)
2. Access to in-state tuition for all immigrant residents (raised at all of the public meetings)
3. More ESOL classes, and lower cost for classes
4. Increased funding for translation and interpreter service in schools
5. Allowing bilingual education
6. Better access and information on state colleges including better information about, and access to, college scholarships
7. Improving accessibility of recertification agencies for foreign professional degrees
8. Need for translators available at all health centers
9. Cost of naturalization prohibitive particularly for families with multiple members applying
10. More affordable and/or subsidized housing
11. State Agencies need greater multilingual support staff to address demand
12. Assistance with housing applications





## *The Commonwealth of Massachusetts Governor's Advisory Council for Refugees and Immigrants*

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To: Honorable Governor Deval Patrick  
From: The Governor's Advisory Council for Refugees and Immigrants  
Re: Supporting the Recommendations of the New Americans Agenda

As the Governor's Advisory Council, submits the recommendations of the New Americans Agenda to you, we wanted to take this opportunity to urge you to do all that it can to support immigrants and refugees in the Commonwealth. As you will see in reviewing the recommendations, many of them cannot be implemented by the state, but rather must come from changes in federal law and regulations. We urge you to take a leadership role on the national level in pressing President Barack Obama, Congress, and other governors to seek real reform of our broken immigration system. Only with comprehensive reform that addresses many of the inequalities that persist in our nation, can immigrants in Massachusetts achieve the social, economic, and political opportunities needed to reach their potential as contributing members of our communities. As such, we respectfully ask that you support the following principles for comprehensive immigration reform:

- Create an Immigration System that Looks Forward. America has seen a large influx of immigrants over the past two decades. This has largely been because of increased economic traffic and cooperation in the Western Hemisphere and throughout the world. Increased globalization has drastically altered migration patterns, yet U.S. immigration laws have not kept up with these changing realities. In order for a comprehensive immigration reform program to be more than just a short-term band-aid, it needs to include a reformation of our nation's immigration system that addresses the root causes of undocumented migration to the United States. Congress must reform the family-based immigration system to ensure that families are not separated for long periods of time – sometimes decades – and have a legal method for reuniting. They must also address the employment-based immigration system to ensure that it is responsive to the needs of American business without harming the rights of workers already here.
- Develop an Overall Policy on Immigrant Integration. Up until now, it has been left to states and local community groups to help immigrants learn about and transition into American culture and society. The push for immigration reform offers Washington an opportunity to consider how it can best assist immigrants in making the most of their talent and energy to contribute to America's social and economic well-being. In debating immigration reform, Congress should examine what institutions can be created to assist immigrants seeking to learn English, improve educational access for immigrant children, help those who are seeking to become U.S. Citizens, and provide health care access to all immigrants regardless of their status or length of residency.
- Establish a Rational Enforcement System. Current immigration enforcement efforts have had a negligible impact on the number of undocumented immigrants in the country, but have been extremely harmful to families and communities that have been torn apart. Rather than targeting hard working immigrants without criminal histories, our limited enforcement resources need to be focused on those immigrants who pose a danger to our communities and

our security without harming those who contribute to our economic prosperity. In order to focus on removing such dangerous immigrants, the definition of “aggravated felony” found in 8 U.S.C. 1101(a)(43) should be amended to include only serious, violent felonies, returning to the pre 1996 definition.

- Provide a Just and Fair Legalization Program. Legalization is a key element in any comprehensive immigration reform proposal and must provide immigrants who have established new lives in the United States with access to procedures that permit them to adjust their immigration status.
  - ▶ Any legalization program must set forward the primary eligibility criteria in a simple, clear, and generous way so as to be as inclusive as possible while avoiding the ongoing litigation and confusion that resulted from the 1986 Immigration Reform and Control Act.
  - ▶ A legalization program should also protect the confidentiality of those who apply; otherwise the threat of potential deportation could have a chilling effect, preventing many eligible immigrants from applying. Confidentiality would also protect many immigrants who apply through unscrupulous attorneys and notarios who seek to take advantage of people desperate to gain legal status.
  - ▶ Finally, the procedures for a legalization program must be designed in a way that avoids confusion and provides both applicants and the government with the resources necessary for proper adjudication. Legislation should provide an appropriate amount of time between passage and implementation so that the administration has sufficient time to issue appropriate regulations and train staff to handle the new law. Congress should provide additional funding to U.S. Citizenship and Immigration Services so that the agency has the resources necessary to process millions of applications in a fair and timely manner. It should also provide funding to credible charitable agencies so they can assist applicants in filling out and filing their applications.
- Repeal the REAL-ID Act. REAL-ID places onerous burdens on both states and residents by forcing upon us all expensive and restrictive licensing requirements. Moreover, REAL-ID would permanently block many workers in the Commonwealth from acquiring the driver’s licenses they need to get to work, drive their children to school, obtain auto insurance, and purchase the basic necessities of life. Over and over again, we have heard from community members that access to driver’s licenses is one of the priorities for immigrant communities across the state. Repealing REAL-ID would be a necessary first step in ensuring that they are able to obtain such licenses.
- Pass the DREAM Act. Tens of thousands of undocumented immigrant children are raised as Americans and attend school in United States. 65,000 of these graduate from high school every year, including honor roll students, star athletes, and talented artists. Despite being raised in the United States, they face unique barriers to higher education, are unable to work legally in the U.S., and often live in constant fear of detention by immigration authorities. The DREAM Act would give these children hope for a better future, the hope that they can attend school and live a life full of the same opportunities as their classmates. Failure to pass the DREAM Act would lead to the loss of an educated class of promising immigrant students who have demonstrated a commitment to hard work and a strong desire to be contributing members of our society.
- Reform our Refugee/Asylee Systems. U.S. refugee admission targets are far below their historical levels, while actual admission have fallen even lower—stagnating at around 70,000. With more than 14 million refugees and asylum seekers around the world, the decreased U.S. admission level has left tens of thousands of innocent, persecuted people being left without relief. Immigration reform should include raising the target to 125,000 for FY '10 with gradual increases to 200,000 refugees by FY '13. In addition, Congress should acknowledge the fact that refugees have a more difficult time adjusting to conditions in the United States due to their traumatic experiences and increase the time they are eligible to receive resettlement services to 9 months.

We need to get past the rhetoric of hate that has dominated this debate and instead strive for policy choices that are in the best long-term interests of our nation. As Governor of Massachusetts, you are in a position to help influence the debate in Washington in favor of true reform that benefits the Commonwealth and the country. We encourage you to take a leadership role on immigration reform by reaching out to your fellow governors, members of Congress, and President Obama and urging them to support a comprehensive immigration reform package that addresses the failings of our current broken immigration system.

## EXECUTIVE ORDER NO. 503

### INTEGRATING IMMIGRANTS AND REFUGEES INTO THE COMMONWEALTH

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**WHEREAS**, the Commonwealth has been a home and a haven for new immigrants, refugees and their descendants throughout its history; and

**WHEREAS**, for more than three centuries immigrants and refugees have come to the United States and this Commonwealth for economic opportunity, religious freedom, and civil liberties, and have found the means to establish a new life here; and

**WHEREAS**, this tradition continues to this day, as the Commonwealth's immigrant population, which comprises 14 percent of the state's population and 17 percent of its workforce, continues to grow; and

**WHEREAS**, this immigrant and refugee population faces many challenges and obstacles on the path to becoming productive and self-sufficient new Americans residing in the Commonwealth; and

**WHEREAS**, the Commonwealth recognizes that the successful integration of immigrants and refugees into our society is critical to our economic and civic well-being; and

**WHEREAS**, immigrants and refugees have great potential to contribute to the Commonwealth's communities as residents, entrepreneurs, students and employees, and it is in the interest of all that their potential be nurtured and encouraged; and

**WHEREAS**, the Commonwealth would benefit from having more of our eligible immigrants and refugees become naturalized citizens; and

**WHEREAS**, the Commonwealth would benefit from a coordinated approach to immigrant policy that uses immigrants' and refugees' skills and assets and directs state efforts to accelerate immigrants' and refugees' integration into the community;

**NOW, THEREFORE**, I, Deval L. Patrick, Governor of the Commonwealth, by virtue of the authority vested in me by the Constitution, Part 2, c. 2, § 1, Art. I, do hereby order as follows:

**Section 1.** The Commonwealth of Massachusetts shall develop a New Americans Agenda, a comprehensive and strategic statewide approach to successfully integrate our immigrant and refugee populations that builds upon the strengths of immigrants and refugees in the Commonwealth. The New Americans Agenda will help to ensure that these populations become self-sufficient and integrated members of our economy and communities as quickly as possible.

**Section 2.** The Massachusetts Office for Refugees and Immigrants (MORI), the state agency chiefly responsible for refugee resettlement and state policies affecting immigrant and refugee populations, shall work with the Governor's Advisory Council for Refugees and Immigrants (GACRI) to develop policy recommendations for the New Americans Agenda. MORI and the GACRI shall be authorized to call upon any state department, office, division or agency to seek information about services, personnel and policies necessary to develop their recommendations pursuant to this Order. MORI and the GACRI shall also consult with host communities across the Commonwealth concerning issues that affect immigrants and refugees. MORI and the GACRI may consult with knowledgeable individuals in the public or private sector on any aspect of their mission to help assess the needs of immigrant and refugee populations and determine best practices for their integration.

**Section 3.** MORI shall work with the Governor's Office of Civic Engagement and the Massachusetts Immigrant and Refugee Advocacy Coalition (MIRA) to develop a New Americans Network of community-based organizations across the Commonwealth that will organize a series of public meetings to take testimony from community groups, business leaders, local officials and other interested persons. This information shall be considered in the development of policy recommendations for the New Americans Agenda.

**Section 4.** MORI shall present its policy



recommendations concerning the New Americans Agenda to the Governor no later than July 1, 2009. It shall include recommendations on how the Commonwealth can better prepare immigrants and refugees to become productive and self-sufficient members of society by addressing their strengths and needs for greater access in areas including but not limited to citizenship assistance, employment/workforce training, English language proficiency, education, civil rights, fair housing, healthcare and public safety.

**Section 5.** After approval by the Governor or his designee, MORI's policy recommendations shall be forwarded to state departments, offices, divisions and agencies. Those entities shall develop New Americans plans that incorporate effective training and resources, culturally and linguistically competent and appropriate services, and administrative practices that address the needs of immigrants and refugees. State departments, offices, divisions and agencies shall consider the New Americans Agenda policy recommendations in creating the plans. Plans shall be submitted to the Governor or his designee no later than one year following their receipt of the policy recommendations.

Given at the Executive Chamber in Boston this 9th day of July in the year of our Lord two thousand and eight, and of the Independence of the United States of America two hundred and thirty-two.

**DEVAL L. PATRICK, GOVERNOR**  
Commonwealth of Massachusetts

**WILLIAM FRANCIS GALVIN**  
Secretary of the Commonwealth

GOD SAVE THE COMMONWEALTH OF  
MASSACHUSETTS



## EXECUTIVE ORDER NO. 478

### ORDER REGARDING NON-DISCRIMINATION, DIVERSITY, EQUAL OPPORTUNITY, AND AFFIRMATIVE ACTION (Revoking Executive Order 452)

**WHEREAS**, the Constitution of the Commonwealth of Massachusetts is based on a belief in freedom and equality for all individuals and in the duty of Government to safeguard and foster these rights;

**WHEREAS**, the Executive Branch of the Commonwealth of Massachusetts recognizes the importance of non-discrimination, diversity, and equal opportunity in all aspects of state employment, programs, and activities;

**WHEREAS**, creating a culture of inclusion that values and promotes diversity and equal opportunity for all individuals is the central objective of this Executive Order and the goal of my administration;

**WHEREAS**, while acknowledging the many efforts and accomplishments of the past, the Commonwealth can and must do more to ensure that non-discrimination, diversity and equal opportunity are safeguarded, promoted, and reflected in state workplaces, decisions, programs, activities, services, and contracts;

**NOW, THEREFORE**, I, Deval L. Patrick, Governor of the Commonwealth of Massachusetts, by virtue of the authority vested in me by the Constitution, Part 2, c. 2, § 1, Art. I, do hereby revoke Executive Order 452 and order as follows:

**Section 1.** This Executive Order shall apply to all state agencies in the Executive Branch. As used in this Order, "state agencies" shall include all executive offices, boards, commissions, agencies, departments, divisions, councils, bureaus, and offices, now existing and hereafter established.

**Section 2.** Non-discrimination, diversity, and equal opportunity shall be the policy of the Executive Branch of the Commonwealth of Massachusetts in all aspects of state employment, programs, services, activities, and decisions. Each executive officer and agency head serving under the

Governor, and all state employees, shall take immediate, affirmative steps to ensure compliance with this policy and with applicable federal and state laws in connection with both the internal operations of state government as well as their external relations with the public, including those persons and organizations doing business with the Commonwealth. Each agency, in discharging its duties, shall consider the likely effects that its decisions, programs, services, and activities will have on achieving non-discrimination, diversity, and equal opportunity.

**Section 3.** All state agencies shall develop and implement affirmative action and diversity plans to identify and eliminate discriminatory barriers in the workplace; remedy the effects of past discriminatory practices; identify, recruit, hire, develop, promote, and retain employees who are members of under-represented groups; and ensure diversity and equal opportunity in all facets, terms, and conditions of state employment. Such plans shall set forth specific goals and timetables for achievement, shall comply with all applicable state and federal laws, and shall be updated, at a minimum, every two years.

**Section 4.** All programs, activities, and services provided, performed, licensed, chartered, funded, regulated, or contracted for by the state shall be conducted without unlawful discrimination based on race, color, age, gender, ethnicity, sexual orientation, religion, creed, ancestry, national origin, disability, veteran's status (including Vietnam-era veterans), or background. Equal opportunity and diversity shall be protected and affirmatively promoted in all state, state-assisted, and state-regulated programs, activities, and services. Non-compliance shall subject violators to such disciplinary or remedial actions as permitted by law. This provision applies, but is not limited to, the use and operation of facilities owned, leased, funded or subject to control by the Commonwealth; the sale, lease, rental, financing, construction, or development of housing; state-licensed or chartered health care facilities, educational institutions, and

businesses; education, counseling, and training programs; and public schools.

**Section 5.** All Executive Branch contracts entered into after the effective date of this Order shall contain provisions prohibiting contractors and subcontractors from engaging in discriminatory employment practices; certifying that they are in compliance with all applicable federal and state laws, rules, and regulations governing fair labor and employment practices; and committing to purchase supplies and services from certified minority or women-owned businesses, small businesses, or businesses owned by socially or economically disadvantaged persons or persons with disabilities. Such provisions shall be drafted in consultation with the Office of the Comptroller and the Operational Services Division, which shall develop and implement uniform language to be incorporated into all Executive Branch contracts. The provisions shall be enforced through the contracting agency, the Operational Services Division, and/or the Massachusetts Commission Against Discrimination. Any breach shall be regarded as a material breach of the contract that may subject the contractor to appropriate sanctions.

**Section 6.** All state agencies shall exclude from any forms requesting information any item or inquiry expressing or soliciting specifications as to race, color, creed, religion, national origin, ethnicity, gender, age, sexual orientation, or disability, unless the item or inquiry is expressly required by statute or is deemed by the Massachusetts Commission Against Discrimination, the Massachusetts Office on Disability, the Human Resources Division, or the Office of Diversity and Equal Opportunity to be a bona fide qualification or otherwise required in good faith for a proper purpose.

**Section 7.** The Office of Diversity and Equal Opportunity ("ODEO"), as presently established within the Human Resources Division of the Administration and Finance Secretariat, shall be responsible for ensuring compliance with this Executive Order and with all applicable state and federal laws. ODEO shall have a Director (the "Director"), who shall be selected by and serve at the pleasure of the Governor. The Director shall report to the Commonwealth's Chief Human Resources Officer and submit periodic written reports to the Governor. The Director shall have the authority to:

Establish guidelines for agency affirmative action and diversity plans ("plans");

Review all such plans and either approve, return for amendment, or reject them;

Establish periodic reporting requirements for agencies concerning the implementation of their plans and all actions taken to ensure compliance with this Executive Order and applicable state and federal laws;

Provide assistance to agencies in achieving compliance with their plans and with applicable federal and state laws;

Monitor and assess the status of agency compliance and investigate instances of non-compliance; and

Where appropriate, determine and impose remedial courses of action, including the potential imposition of a freeze on all personnel requisitions and appointment forms submitted by any non-compliant agency to the Chief Human Resources Officer.

**Section 8.** Each Secretariat shall appoint a Diversity Director. Each agency shall appoint a Diversity Officer. Diversity Directors and Officers shall have a direct reporting relationship to their Secretary or Agency head; shall also report to the Director of ODEO; and shall coordinate their component's compliance with the requirements of this Order and applicable federal and state laws. Through the Diversity Directors and Officers, and in compliance with the reporting guidelines and requirements established by ODEO, all state agencies shall submit periodic reports to the Director of ODEO concerning the status and implementation of their affirmative action and diversity plans.

**Section 9.** The Massachusetts Office on Disability ("MOD"), through its Director, shall be responsible for advising, overseeing and coordinating compliance with federal and state laws protecting the rights of persons with disabilities, including but not limited to the Americans with Disabilities Act ("ADA"), 42 U.S.C. §§ Rehabilitation Act of 1973, 29 U.S.C. § 794; Article CXIV of the Massachusetts Constitution; and Chapter 6, §§ 185-87; Chapter 93, § 103; Chapter 151B; and Chapter 272, §§ 92, 98, and 98A of the

Massachusetts General Laws. MOD shall serve as the Executive Branch's designated ADA and Rehabilitation Act Coordinator, and shall provide information, training, and technical assistance and promulgate guidelines reflecting best practices, policies and procedures concerning persons with disabilities. Each agency shall appoint an ADA/504 Coordinator who shall report directly to the agency head and work with MOD concerning issues involving persons with disabilities. Notification of such appointment shall be made to MOD's Director.

**Section 10.** Pursuant to guidelines established by ODEO and MOD, all agency heads, managers, supervisors, and employees shall attend mandatory diversity training within one year of the effective date of this Order. For future hires, such training shall be part of the standardized orientation provided to new employees.

**Section 11.** ODEO and MOD shall promulgate guidelines establishing a complaint resolution process for individuals who allege non-compliance by state agencies with applicable federal and state laws prohibiting discrimination. In instances where this process does not resolve the complaint, the Director of ODEO may refer to the Massachusetts Commission Against Discrimination ("MCAD") or to MOD any information concerning conduct that the Director believes may constitute a violation of the law. The MCAD shall initiate investigations and, where necessary, file complaints against those agencies and persons whom it has reason to believe are in violation of the laws of the Commonwealth or the United States.

**Section 12.** In performing their responsibilities under this Order, ODEO, MOD, and the MCAD shall have the full cooperation of all state agencies, including compliance with all requests for information.

**Section 13.** The Governor's Non-discrimination, Diversity and Equal Opportunity Advisory Council ("Advisory Council") is hereby established to advise the Governor concerning policies, practices, and specific actions that the Commonwealth should implement to ensure that the objectives of this Executive Order are accomplished.

**13.1** The Advisory Council shall consist of fifteen persons, including a Chair, each of whom shall be appointed by the Governor. All members shall serve without compensation at the pleasure of the Governor in a solely advisory capacity.

**13.2** The Advisory Council's work shall include, but need not be limited to, making written recommendations to the Governor concerning actions, policies, and practices that the Commonwealth should implement to ensure that the objectives of this Executive Order are accomplished.

**13.3** The Advisory Council shall meet at such times and places as determined by the Chair and shall submit an initial report containing its written recommendations to the Governor no later than 60 days following the appointment of the Council's 15 members. Thereafter, the Advisory Council shall meet at least semi-annually and submit supplemental reports to the Governor no less than once per year.

**Section 14.** Nothing in this Executive Order shall be construed to preclude or otherwise limit the continuation or implementation of any lawful affirmative action programs or other programs that support the objectives of this Executive Order.

**Section 15.** This Executive Order shall take effect immediately and shall continue in effect until amended, superseded or revoked by subsequent Executive Order.

Given at the Executive Chamber in Boston this 30th day of January in the year of our Lord two thousand and seven, and of the Independence of the United States of America two hundred and thirty-one.



## Footnotes

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- <sup>1</sup> Alan Clayton-Matthews and Paul Watanabe with Faye Karp, Massachusetts Immigrants by the Numbers: Demographic Characteristics and Economic Footprint, University of Massachusetts Boston prepared for the Immigrant Learning Center, June 2009 p8.
- <sup>2</sup> Andrew M. Sum, Johan Uvin, Ishwar Khatiwada, Dana Ansel, The Changing Face of Massachusetts, MassInc and Center for Labor Market Studies, June 2005, Figure ES1, p7.
- <sup>3</sup> Alan Clayton-Matthews and Paul Watanabe with Faye Karp, Massachusetts Immigrants by the Numbers: Demographic Characteristics and Economic Footprint, University of Massachusetts Boston prepared for the Immigrant Learning Center, June 2009 p14.
- <sup>4</sup> Alvaro Lima, New Bostonians 2005, Boston Redevelopment Authority, prepared for the Mayor's Office of New Bostonians, October 2005, p16.
- <sup>5</sup> Andrew M. Sum, Johan Uvin, Ishwar Khatiwada, Dana Ansel, The Changing Face of Massachusetts, MassInc and Center for Labor Market Studies, June 2005, Figure ES4, p9.
- <sup>6</sup> Andrew M. Sum, Johan Uvin, Ishwar Khatiwada, Dana Ansel, The Changing Face of Massachusetts, MassInc and Center for Labor Market Studies, June 2005, Figure ES1, p7.
- <sup>7</sup> Alan Clayton-Matthews and Paul Watanabe with Faye Karp, Massachusetts Immigrants by the Numbers: Demographic Characteristics and Economic Footprint, University of Massachusetts Boston prepared for the Immigrant Learning Center, June 2009 p14.
- <sup>8</sup> The Changing Pattern of Remittances: 2008 Survey of Remittances from the United States to Latin America, The Inter-American Development Bank and Multilateral Investment Fund, April 2008, p3.
- <sup>9</sup> Andrew Sum, Ishwar Khatiwada, Joseph McLaughlin, Sheila Palma, Paulo Tobar, Mass Economy: the Labor Supply and Our Economic Future, MassInc and the Center for Labor Market Studies, December 2006, ES Figure 3, p12.
- <sup>10</sup> Citation for "Massachusetts Immigrants By the Numbers", from top to bottom in the left and then right columns -  
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Andrew Sum, Ishwar Khatiwada, Joseph McLaughlin, Sheila Palma, Paulo Tobar, Mass Economy: the Labor Supply and Our Economic Future, MassInc and the Center for Labor Market Studies, December 2006, ES Figure 3, p12.  
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Alan Clayton-Matthews and Paul Watanabe with Faye Karp, Massachusetts Immigrants by the Numbers: Demographic Characteristics and Economic Footprint, University of Massachusetts Boston prepared for the Immigrant Learning Center, June 2009 p9-11.  
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Antoniya Owens, A Portrait of New England's Immigrants, New England Public Policy Center Research Report 08 -2, Boston Federal Reserve Bank, November 2008, Table 16, p37.  
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Andrew M. Sum, Johan Uvin, Ishwar Khatiwada, Dana Ansel, The Changing Face of Massachusetts, MassInc and Center for Labor Market Studies, June 2005, Figure ES2 and ES3, p11.  
Alan Clayton-Matthews and Paul Watanabe with Faye Karp, Massachusetts Immigrants by the Numbers: Demographic Characteristics and Economic Footprint, University of Massachusetts Boston prepared for the Immigrant Learning Center, June 2009 p18.  
Andrew M. Sum, Johan Uvin, Ishwar Khatiwada, Dana Ansel, The Changing Face of Massachusetts, MassInc and Center for Labor Market Studies, June 2005, Table 7, p35.  
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- Alan Clayton-Matthews and Paul Watanabe with Faye Karp, Massachusetts Immigrants by the Numbers: Demographic Characteristics and Economic Footprint, University of Massachusetts Boston prepared for the Immigrant Learning Center, June 2009 p30.
- Alan Clayton-Matthews and Paul Watanabe with Faye Karp, Massachusetts Immigrants by the Numbers: Demographic Characteristics and Economic Footprint, University of Massachusetts Boston prepared for the Immigrant Learning Center, June 2009 p31-32, 40-41.
- <sup>11</sup> Andrew M. Sum, Johan Uvin, Ishwar Khatiwada, Dana Ansel, The Changing Face of Massachusetts, MassInc and Center for Labor Market Studies, June 2005, Figure ES6, p11.
- <sup>12</sup> Andrew M. Sum, Johan Uvin, Ishwar Khatiwada, Dana Ansel, The Changing Face of Massachusetts, MassInc and Center for Labor Market Studies, June 2005, Figure 19, p5.
- <sup>13</sup> Massachusetts Department of Elementary and Secondary Education, Adult and Community Learning Services, <http://acls.doemass.org/>
- <sup>14</sup> Daniel Monti, Laurel Smith-Doerr, James McQuaid, Immigrant Entrepreneurs in the Massachusetts Biotechnology Industry, Boston University Department of Sociology prepared for the Immigrant Learning Center, June 2007, p4.
- <sup>15</sup> Daniel Monti, Laurel Smith-Doerr, James McQuaid, Immigrant Entrepreneurs in the Massachusetts Biotechnology Industry, Boston University Department of Sociology prepared for the Immigrant Learning Center, June 2007, p10.
- <sup>16</sup> Paul Watanabe and Michael Liu, The Rise of Asian-Owned Businesses in Massachusetts, University of Massachusetts Boston prepared for the Immigrant Learning Center, June 2007, p5.
- <sup>17</sup> Ramon Borges-Mendez, Michael Liu, Paul Watanabe, Immigrant Entrepreneurs and Neighborhood Revitalization, University of Massachusetts Boston prepared for the Immigrant Learning Center, December 2005, p3.
- <sup>18</sup> Alvaro Lima, Eugenia Garcia-Zanillo, and Manuel Orozco, Brazilians in the United States: A Look at Migrants and Transnationalism, 2007.
- <sup>19</sup> The Changing Pattern of Remittances: 2008 Survey of Remittances from the United States to Latin America, The Inter-American Development Bank and Multilateral Investment Fund, April 2008, p11.
- <sup>20</sup> Alan Clayton-Matthews and Paul Watanabe with Faye Karp, Massachusetts Immigrants by the Numbers: Demographic Characteristics and Economic Footprint, University of Massachusetts Boston prepared for the Immigrant Learning Center, June 2009 p30.
- <sup>21</sup> Alan Clayton-Matthews and Paul Watanabe with Faye Karp, Massachusetts Immigrants by the Numbers: Demographic Characteristics and Economic Footprint, University of Massachusetts Boston prepared for the Immigrant Learning Center, June 2009 p31-31.
- <sup>22</sup> Academic year 2006, Mass Department of Education, [profiles.doe.mass.edu/gradrates.aspx](http://profiles.doe.mass.edu/gradrates.aspx)
- <sup>23</sup> Andrew M. Sum, Johan Uvin, Ishwar Khatiwada, Dana Ansel, The Changing Face of Massachusetts, MassInc and Center for Labor Market Studies, June 2005, Figure ES1, p7.
- <sup>24</sup> Alan Clayton-Matthews and Paul Watanabe with Faye Karp, Massachusetts Immigrants by the Numbers: Demographic Characteristics and Economic Footprint, University of Massachusetts Boston prepared for the Immigrant Learning Center, June 2009 p18.
- <sup>25</sup> Ramon Borges-Mendez, James Jennings, Donna Haig Friedman, Malo Huston, Teresa Elliot Roberts, Immigrant Workers in the Massachusetts Healthcare Industry A Report on Status and Future Prospects, University of Massachusetts Boston, Tufts University, and University of California prepared for the Immigrant Learning Center, March 2009, Table 3, p19.
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- <sup>27</sup> Department of Homeland Security, Population Estimates: Estimates of the Legal Permanent Resident Population in 2007, February 2009, Table 5, p4.
- <sup>28</sup> Leighton Ku and Timothy Waidman, Kaiser Commission on Medicaid and the Uninsured, How Race/Ethnicity, Immigration Status and Language Affect Health Insurance Coverage, Access to Care and Quality of Care Among the Low-Income Population, Center on Budget and Policy Priorities and The Urban Institute prepared for the Kaiser Family Foundation, August 2003, Figure 6, p18.
- <sup>29</sup> Leighton Ku and Timothy Waidman, Kaiser Commission on Medicaid and the Uninsured, How Race/Ethnicity, Immigration Status and Language Affect Health Insurance Coverage, Access to Care and Quality of Care Among the Low-Income Population, Center on Budget and Policy Priorities and The Urban Institute prepared for the Kaiser Family Foundation, August 2003, Table 4, pg. 21
- <sup>30</sup> US Department of Health and Human Services, Administration for Children and Families, Office of Public Affairs, Office of Refugee Resettlement Fact Sheet, January 2009.
- <sup>31</sup> This figure is derived from United States Public Health Service Quarantine Station Notifications to the MA Department of Public Health (1986-1997); Resettlement numbers and trends in MA federal fiscal year (1998-2008) produced by the MA Office for Refugees and Immigrants; and federal fiscal year 2009 overseas arrival data compiled by the MA Office for Refugees and Immigrants with information from the Bureau of Population, Refugees and Migration. For copies of these reports please contact the MA Office for Refugees and Immigrants.
- <sup>32</sup> US Department of Health and Human Services, Administration for Children and Families, Office of Refugee Resettlement, State Profiles Fiscal Year 2005-2007, "Massachusetts", p23, <http://www.acf.hhs.gov/programs/orr/data/Profiles05-07.pdf>
- <sup>33</sup> US Department of Health and Human Services, Administration for Children and Families, Office of Refugee Resettlement, State Profiles Fiscal Year 2005-2007, "Massachusetts", p23, <http://www.acf.hhs.gov/programs/orr/data/Profiles05-07.pdf>
- <sup>34</sup> In many countries notary publics are required to be attorneys, leading many immigrants to believe that American notaries are qualified to give legal advice. However, American notaries are not required to have any legal training.





For more information or to download this report—visit  
the **Massachusetts Immigrant and Refugee Advocacy Coalition** at [www.miracoalition.org](http://www.miracoalition.org)  
or the **Massachusetts Office for Refugees and Immigrants** at [www.mass.gov/ori](http://www.mass.gov/ori)